

DEC 15 2006

**REMARKS**

Claims 1-23 and 44-63 are pending in the case, claims 24-43 having been cancelled and claims 44 been added above. Claims 24-43 were canceled responsive to a restriction requirement. The Office rejected each of claims 1-23 as follows:

- claims 1-5, 7-11, 13-15 and 17-22 were rejected under 35 U.S.C. § 102(b) as anticipated by United States Letters Patent 5,517,414 ("Hrovat"); and
- claims 6, 12 and 16 were rejected as obvious under 35 U.S.C. 103(a) over Hrovat in view of United States Letters Patent 6,481,801 ("Krueger").

The Office Action also noted that the drawings have been accepted.

Applicant traverses each of the rejections.

The Office rejected claims 1-5, 7-11, 13-15 and 17-22 under 35 U.S.C. § 102(b) as anticipated by United States Letters Patent 5,517,414 ("Hrovat"). The Office also rejected claims 6, 12 and 16 as obvious under 35 U.S.C. 103(a) over Hrovat in view of United States Letters Patent 6,481,801 ("Krueger"). An anticipating reference, by definition, must disclose every limitation of the rejected claim in the same relationship to one another as set forth in the claim. M.P.E.P. § 2131; *In re Bond*, 15 U.S.P.Q.2d (BNA) 1566, 1567 (Fed. Cir. 1990). A *prima facie* case of obviousness requires that the prior art reference (or references when combined) must teach or suggest all the claim limitations. M.P.E.P. § 706.02(j); *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (CCPA 1974). The art of record fails to meet this standard.


The independent claims 1, 4, 10, and 14 have been amended to recite that the articulation/adjustment of the suspension is a rotation. The dependent claims incorporate this limitation as a matter of law by virtue of their dependence from claims 1, 4, 10, and 14. Neither Hrovat nor Krueger teaches or suggests a rotational articulation. In both cases, the articulation is linear. This is apparent in Hrovat in Figure 2 and in Krueger from Figure 1.

The cited art therefore fails to teach all the limitations of the claims in each of the rejections. The Office consequently has failed to establish *prima facie* that any of the claims were anticipated, M.P.E.P. § 2131; *In re Bond*, 15 U.S.P.Q.2d (BNA) 1566, 1567 (Fed. Cir. 1990), or obvious, M.P.E.P. § 706.02(j); *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (CCPA 1974). Applicants therefore respectfully submit that the claims are in condition for allowance, and request that they be allowed to issue. The Examiner is invited to contact the undersigned attorney at (713) 934-4053 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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